EXHIBIT D

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,	
Plaintiff,	
v.	**Case No. 4:11-CV-00077-RWS**
AMEREN MISSOURI,	**Judge Rodney W. Sippel**
Defendant.	

DECLARATION OF STEVEN C. WHITWORTH

Pursuant to 28 U.S.C. § 1746, Steven C. Whitworth declares as follows:

1. My name is Steve Whitworth. I am over 18 years of age, have personal knowledge of the facts set forth in this declaration, and if called as a witness, could testify competently about the facts within this declaration.

2. I am employed by Ameren Services Company as the Director of Environmental Services. Ameren Services Company provides business services to Ameren Corporation's operating companies including Ameren Missouri. I have been employed with Ameren Services Company since 1998 following the merger of Central Illinois Public Services Company and Union Electric Company. During the course of my career I have worked in the environmental air quality and permitting arena since 1989. I have been in my current position since 2007. In addition to supervising staff personnel, I am responsible for implementing policies and procedures relating to environmental compliance. In this capacity, I am responsible for representing the Ameren Companies before regulatory and administrative bodies with respect to state and federal permitting conditions and regulatory requirements.

3. Among my responsibilities, I oversee the monitoring and reporting in accordance with regulatory requirements of emissions data from electric generating units owned by Ameren Missouri. One of those plants is the Rush Island Energy Center.

4. The Rush Island Energy Center records sulfur dioxide emissions in one-minute increments with a Certified Emissions Monitoring System, or CEMS, as required by its Clean Air Act operating permit, the Acid Rain Program (Title IV of the Clean Air Act), and 40 C.F.R. Part 75. CEMS data must meet stringent quality control guidelines as set forth in the federal regulation. To ensure the accuracy of data collected and reported, the CEMS analyzer is subject to quality control and testing protocol. CEMS is subject to daily and quarterly testing as well as yearly accuracy audits. Daily and quarterly testing is performed. The Rush Island CEMS data met the requirements of 40 C.F.R. Part 75 for the period from 1998 through 2005.

5. The sulfur dioxide emissions as measured by the CEMS are reported on an hourly basis to U.S. EPA quarterly, within 30 days of the end of the quarter, Ameren's Rush Island emissions data has been submitting SO2 data to U.S. EPA since 1995. The data is readily accessible to the public and U.S. EPA employees through the Clean Air Markets Division (CAMD) database. http://ampd.epa.gov/ampd/QueryToolie.html.

6. I reviewed the CEMS information reported to U.S. EPA for sulfur dioxide for the pre- and post-project periods for the projects alleged in the government's complaint relating to the 2001 and 2003 outages at Rush Island.

7. The pre-project or "baseline" period is any twenty-four month period within the five year period immediately preceding the project. For purposes of this comparison, I selected the same baseline period that U.S. EPA selected. *See* ECF No. 53. In calculating actual emissions, the regulations require a comparison of the average rate in tons per year, so in

accordance with the regulations, I calculated the average annual actual emissions for the pre-project period. 10 C.S.R. 10-6.020(2)(A)(4).

8. The post-project period is the twenty-four month period following the project. In calculating actual emissions, the regulations require a comparison of the average rate in tons per year, so in accordance with the regulations, I again calculated the average annual actual emissions for the post-project period. 10 C.S.R. 10-6.020(2)(A)(4).

9. The information is as follows:

Outage	**Actual Annual Emissions Rate Before the Project** (Average annual emissions during the two-year period selected by EPA, *see* ECF No. 53)	**Actual Annual Emissions Rate After the Project** (Average annual emissions during the 24-month period following the project)	**Actual Annual Decrease in SO_2 Emissions**
Unit 1 – 2001	14,130	12,376	(1754) ton decrease
Unit 2 – 2003	13,957	13,384	(573) ton decrease

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 6, 2013

Steven C. Whitworth